

**NOTICE OF INTENT TO ADOPT A PROPOSED NEW RULE TO THE STATE
LICENSING BOARD FOR RESIDENTIAL AND GENERAL CONTRACTORS, BOARD
RULE CHAPTER 553-11 CHANGES IN STATUS, RULE 553-11-.03 PRIOR
APPROVAL, AND NOTICE OF PUBLIC HEARING**

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the State Licensing Board for Residential and General Contractors, (hereinafter "Board") proposes a new rule to the State Licensing Board for Residential and General Contractors Board Rule Chapter 553-11; Rule 553-11-.03 (herein after "proposed new rule").

This notice, together with an exact copy of the proposed new rule and a synopsis of the proposed new rule, is being disseminated to all persons who have requested, in writing, they be placed on a distribution list. A copy of this notice, an exact copy of the proposed new rule, and synopsis of the proposed new rule may be reviewed during normal business hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the following Board website <http://sos.ga.gov/index.php/licensing/plb/46>. Copies may also be requested by contacting the Board office at (478) 207-2440.

A public hearing will be held at **9:00 a.m. on Wednesday, January 30, 2019** at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive in Macon, Georgia 31217 to provide the public an opportunity to comment upon and provide input into the proposed new rule.

At the public hearing anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for official record. Oral statements should be concise and will be limited to five (5) minutes per person. Written comments are welcomed. Such written comments must be legible and signed, should contain contact information from the maker (address, telephone number and/or facsimile number, etc.) and be actually received in the office prior to the close of business (5:00 P.M. EST) on **Wednesday, January 23, 2019**. Written comments should be addressed to Darren Mickler, Acting Division Director, Office of the Secretary of State, Professional Licensing Boards Division, State Licensing Board for Residential and General Contractors, 237 Coliseum Drive, Macon, Georgia 31217; Fax (478) 207-1458.

The proposed new rule will be considered for adoption by the State Licensing Board for Residential and General Contractors at its meeting scheduled to begin at **9:00 a.m. on Wednesday, January 30, 2019** at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive in Macon, Georgia 31217. According to the Department of Law, State of Georgia, the State Licensing Board for Residential and General Contractors has the authority to adopt the proposed new Rule 553-11-.03 pursuant to authority contained in O.C.G.A. §§ 43-41-5(a)(7) and 43-41-9(e)(2).

The Board will consider at its meeting on Wednesday, January 30, 2019 whether the formulation and adoption of this new rule imposes excessive regulatory cost on any licensee or entity and whether any cost to comply with the proposed new rule could be reduced by a less expensive

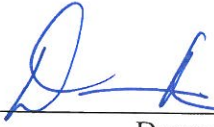
alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-41-5(a)(7) and 43-41-9(e)(2).

Additionally, at the meeting on January 30, 2019, the Board will consider whether it is legal or feasible to meet the objectives of O.C.G.A. §§ 43-41-5(a)(7) and 43-41-9(e)(2) to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D). The formulation and adoption of this proposed new rule will impact every licensee in the same manner and each licensee is independently licensed, owned and operated in the field of residential or general contracting.

For further information, contact the Board office at (478) 207-2440.

This notice is given in compliance with Section 4(a)(1) of the Georgia Administrative Procedures Act O.C.G.A. § 50-13-4.

This 27 day of December, 2018.



Darren Mickler
Acting Division Director
Professional Licensing Boards

Posted: 12/27/18

SYNOPSIS OF PROPOSED ADOPTION OF A NEW RULE TO THE STATE LICENSING BOARD FOR RESIDENTIAL AND GENERAL CONTRACTORS, BOARD RULE CHAPTER 553-11 CHANGES IN STATUS, NEW RULE 553-11-.03 PRIOR APPROVAL

Purpose: The purpose of this new rule is to create a rule which provides clarity on the process for licensure by prior approval. The rule describes the procedures for issuing a separate license for a licensee who elects to engage in residential or general contracting in a different capacity or for a new company.

Main Features: The new rule provides clarity on the process for licensure by prior approval. The rule provides a path for a licensee who elects to engage in residential or general contracting in a different capacity or for a new company to request issuance of a new license. The rule also provides clarity that failing to provide proper notification of disaffiliation pursuant to the board rule is subject to disciplinary action.

THE PROPOSED NEW RULE TO THE STATE LICENSING BOARD FOR RESIDENTIAL AND GENERAL CONTRACTORS, BOARD RULE CHAPTER 553-11 CHANGES IN STATUS, NEW RULE 553-11-.03 PRIOR APPROVAL

[Note: underlined text is the proposed new rule to be added.]

Rule 553-11-.03 Prior Approval.

(1) A residential or general contractor who holds a current and valid residential or general contractor's license in the State of Georgia may request issuance of a new license by the appropriate division without examination under the following provisions:

(a) Notify the Board of his or her desire to engage in the same category of residential or general contracting which license was issued to him or her in their capacity either as an individual licensee or as a qualifying agent for a business organization by submitting a Prior Approval application with required supporting documents, as established by the Board, along with the required fee.

(b) Shall otherwise meet the requirements for licensure.

(c) Shall not be in violation of this chapter.

(2) A residential or general contractor who was previously issued a residential or general contractor's license in the State of Georgia, may request issuance of a new license by the appropriate division without examination under the following provisions:

(a) Notify the Board of his or her desire to engage in the same category of residential or general contracting which license was issued to him or her in their capacity either as an individual licensee or as a qualifying agent for a business organization by submitting a Prior Approval application with required supporting documents, as established by the Board, along with the required fee.

(b) Submit evidence of attendance of required approved continuing education for each biennium that the license was not active if required by the respective Division.

(c) Shall otherwise meet the requirements for licensure.

(d) Shall not be in violation of this chapter.

(3) Failure to provide proper notification of disaffiliation pursuant to Rule 553-11-.02 shall be considered a violation and is subject to disciplinary action of a public reprimand to include a fine, in addition to any other conditions required by the appropriate division.

Authority: O.C.G.A. §§ 43-41-5(a)(7), and 43-41-9(e)(2)

Rule 553-11-.03 Prior Approval.

- (1) A residential or general contractor who holds a current and valid residential or general contractor's license in the State of Georgia may request issuance of a new license by the appropriate division without examination under the following provisions:
 - (a) Notify the Board of his or her desire to engage in the same category of residential or general contracting which license was issued to him or her in their capacity either as an individual licensee or as a qualifying agent for a business organization by submitting a Prior Approval application with required supporting documents, as established by the Board, along with the required fee.
 - (b) Shall otherwise meet the requirements for licensure.
 - (c) Shall not be in violation of this chapter.
- (2) A residential or general contractor who was previously issued a residential or general contractor's license in the State of Georgia, may request issuance of a new license by the appropriate division without examination under the following provisions:
 - (a) Notify the Board of his or her desire to engage in the same category of residential or general contracting which license was issued to him or her in their capacity either as an individual licensee or as a qualifying agent for a business organization by submitting a Prior Approval application with required supporting documents, as established by the Board, along with the required fee.
 - (b) Submit evidence of attendance of required approved continuing education for each biennium that the license was not active if required by the respective Division.
 - (c) Shall otherwise meet the requirements for licensure.
 - (d) Shall not be in violation of this chapter.
- (3) Failure to provide proper notification of disaffiliation pursuant to Rule 553-11-.02 shall be considered a violation and is subject to disciplinary action of a public reprimand to include a fine, in addition to any other conditions required by the appropriate division.

Authority: O.C.G.A. §§ 43-41-5(a)(7), and 43-41-9(e)(2)